



7 Clarke Drive
Cranbury, New Jersey 08520
Telephone: (609) 409-6080
Direct Facsimile: (413) 254-9245
Main Facsimile: (609) 409-6126

FAX COVER SHEET

FAX RECEIVED
JUN 29 2001
GROUP 1600

TO:
Technology Center 1600

COMPANY:
US Patent & Trademark Office

FAX NO:
(703) 308-4556

FROM: Viviana Amzel, Ph.D., J.D.

DATE: 6/28/01

TIME: _____

Direct Dial: (409) 609-3035

E-Mail: vamzel@epigene.com

TOTAL NO. OF PAGES: 9
(including cover page)

Our Reference No.: EPI-00671b

CONFIDENTIALITY NOTICE

The information in this fax transmission and the documents accompanying it contain confidential information belonging to the sender which is legally privileged. The information is intended only for the use of the individuals or entities named above. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution or the taking of any action in reliance on the contents of this faxed information is strictly prohibited. If you have received this fax in error, please immediately notify us by telephone to arrange for return of the original documents to us.

COMMENTS

Re: Application Number 09/543,679 filed 04/04/2000.

73999\01905

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: : Appl. Ref.: EPI-0671b
 :
 Nyce et al. :
 Appl. No: 09/543,679 : Priority: USSN 60/127,958
 Filing Date: April 4, 2000 : Examiner

For: **LOW ADENOSINE ANTI-SENSE OLIGONUCLEOTIDE, COMPOSITIONS, KIT & METHOD FOR TREATMENT OF AIRWAY DISORDERS ASSOCIATED WITH BRONCHOCONTRICITION, LUNCH INFLAMMATION, ALLERGY(IES) & SURFACTANT DEPLETION**

COVER LETTER

Assistant Commissioner for Patents
 Washington, DC 20231

Sir/Madam:

Enclosed for filing are the following:

1. Request for Corrected Filing Receipt (2 pages)
2. Filing Receipt (2 pages)
3. Claim for Priority Under 35 USC '120 (1 page)
4. Declaration for Patent Application (3 pages)

6/28/01

Respectfully submitted,
 EPIGENESIS PHARMACEUTICALS

[Signature]
 Viviana Amzel, Ph. D.
 Attorney for Applicant

7 Clarke Drive
 Cranbury, NJ 08512

OFFICIAL

FAX RECEIVED
 JUN 29 2001
 GROUP 1600

#5
BP
8-8-01PATENT
EPI-00671b

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Serial No.: 09/543,679 Group Art Unit: 1615
 Inventor: Jonathan W. Nyce
 Filed: 04/04/2000
 For: LOW ADENOSINE ANTI-SENSE OLIGONUCLEOTIDE, COMPOSITIONS, KIT & METHOD OF TREATMENT OF AIRWAY DISORDERS ASSOCIATED WITH BRONCHOCONSTRICTION, LUNG INFLAMMATION, ALLERGY(IES) & SURFACTANT DEPLETION

Assistant Commissioner for Patents
 Washington, D.C. 20231

REQUEST FOR CORRECTED FILING RECEIPT

1. Attached is a copy of the official filing receipt received from the PTO in the above application for which issuance of a corrected filing receipt is respectfully requested. Also attached are copies of the Claim for Priority and Declaration previously filed in this case.

2. There is an error with respect to the following data, which is:

☒ incorrectly entered

and/or

☒ Omitted.

Error In

Correct data

- a. ☐ Applicant's name
 b. ☐ Applicant's address
 c. ☒ Title

- a.
 b.
 c. LOW ADENOSINE ANTI-SENSE OLIGONUCLEOTIDE, COMPOSITIONS, KIT & METHOD OF TREATMENT OF AIRWAY DISORDERS ASSOCIATED WITH BRONCHOCONSTRICTION, LUNG INFLAMMATION, ALLERGY(IES) & SURFACTANT DEPLETION

- d. ☐ Filing Date
 e. ☐ Serial Number
 f. ☐ Foreign/PCT Application re:
 g. ☒ Other (Continuing Data)

- d.
 e.
 f.
 g. (1) USSN 60/127,958, filed April 6, 1999, a CIP of USSN 08/474,497 filed June 7, 1995 (US Pat. No. 5,994,315); of USSN 08/472,527, filed June 5, 1995 (US Pat. No. 6,040,296); and of USSN 08/757,024 filed November 6, 1996 (US Pat. No. 6,025,339); (2) PCT US00/08020 filed March 24, 2000, based on USSN 60/127,958; (3) USSN 08/474,497 filed June 7, 1995 (US Pat. No. 5,994,315); (4) USSN 09/016,464 filed January 30, 1998, a Continuation of USSN 08/474,497 filed June 7, 1995 (US Pat. No. 5,994,315); (5) USSN 08/472,527, filed June 5, 1995 (US Pat. No. 6,040,296); (6) USSN 09/093,972 filed June 9, 1998, a CIP of USSN 08/472,527, filed June 5, 1995; of USSN 08/474,497 filed June 5, 1995; and of USSN 08/757,024 filed November 6, 1996; (7) USSN 08/757,024 filed November 6, 1996 (US Pat. No. 6,025,339), a CIP of USSN 08/472,527 (US Pat. No. 6,040,296); (8) USSN 60/059,160 filed September 17, 1997; (9) PCT US98/19419 filed September 17, 1998; (10) USSN 09/502,152 filed March 17, 2000 based on PCT US98/19419 and USSN 60/059,160; (11) USSN 60/095,212 filed August 3, 1998; and (12) PCT US99/17712 filed August 3, 1999, bas d on USSN 60/095,212.

09/553,679

EPI-00671b

3.

(complete the following applicable item)

A. ☒ The correction(s) is/are not due to any error by applicant and no fee is due.

OR

B. ☐ At least one of the above corrections is due to applicant's error and the fee therefore, under 37 CFR 1.19(h), of \$25.00 is paid as follows:

- ☐ Enclosed is a check for \$25.00.
☐ Charge Account _____ \$25.00.

6/28/01


SIGNATURE OF ATTORNEY

Registration No.: 30,930

Viviana Amzel, Ph.D., J.D.

(type or print name of attorney)

Telephone No.: (609) 409-3035
Facsimile No.: (413) 254-9245
E-Mail: vamzel@epigene.com

EpiGenesis Pharmaceuticals, Inc.
7 Clarke Drive
Cranbury, NJ 08520

CERTIFICATE OF MAILING/TRANSMISSION (37 CFR 1.8a)

I hereby certify that this correspondence is, on the date shown below, being:

MAILING

☐ deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Office of Initial Patent Examination, Customer Service Center, 2011 S. Clark Place, Crystal City, CP2-Lobby Floor, Arlington, VA 22202.

Date: June 28, 2001

FACSIMILE

☒ transmitted by facsimile to the United States Patent and Trademark Office.


(signature of person certifying)

RASHIDA HAGI
(type or print name of person certifying)



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO.	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/543,679	04/04/2000	1615	1049	EPI-067191 EPI-06716		91	2

CONFIRMATION NO. 6742

UPDATED FILING RECEIPT



0000000006138590

Dr Vivianna Amzel
EpiGenesis Pharmaceuticals, Inc
7 Clarke Drive
Cranbury, NJ 08512

Date Mailed: 06/01/2001

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Jonathan W. Nyce, Princeton, NJ;
W James Metzger, Greenville, NC;

Domestic Priority data as claimed by applicant

THIS APPLN CLAIMS BENEFIT OF 60/127,958 04/06/1999

INCOMPLETE, PLEASE SEE
ATTACHED CLAIM FOR
PRIORITY & DECLARATION

Foreign Applications

If Required, Foreign Filing License Granted 07/11/2000

Projected Publication Date: N/A

Non-Publication Request: No

Early Publication Request: No

** SMALL ENTITY **

Title

Preliminary Class
424

Date: 06/01/2001

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52

7399901340

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: : Appl. Ref.: **EPI-0671b**
Nyce et al. : Document: **h:\epi\0671b\Priority Claim**
Appl. No: **09/543,679** : **411068**
Filing Date: **April 4, 2000** : Examiner:
For: **LOW ADENOSINE ANTI-SENSE OLIGONUCLEOTIDE, COMPOSITIONS, KIT & METHOD**
FOR TREATMENT OF AIRWAY DISORDERS ASSOCIATED WITH BRONCHO
CONTRITION, LUNCH INFLAMMATION, ALLERGY(IES) & SURFACTANT DEPLETION

CLAIM FOR PRIORITY UNDER 35 USC '120

Assistant Secretary for Patents
Washington DC 20231

Sir/Madam:

The applicant hereby claims priority for the above-identified U.S. Patent Application of the filing dates of the following U.S. Parent Applications under 35 USC 120:

- 1- USSN 60/127,958, filed April 6, 1999, a CIP of USSN 08/474,497 filed June 7, 1995 (US Pat. No. 5,994,315); of USSN 08/472,527, filed June 5, 1995 (US Pat. No. 6,040,296); and of USSN 08/757,024 filed November 6, 1996 (US Pat. No. 6,025,339).
- 2- PCT US00/08020 filed March 24, 2000, based on USSN 60/127,958.
- 3- USSN 08/474,497 filed June 7, 1995 (US Pat. No. 5,994,315).
- 4- USSN 09/016,464 filed January 30, 1998, a Continuation of USSN 08/474,497 filed June 7, 1995 (US Pat. No. 5,994,315).
- 5- USSN 08/472,527, filed June 5, 1995 (US Pat. No. 6,040,296).
- 6- USSN 09/093,972 filed June 9, 1998, a CIP of USSN 08/472,527, filed June 5, 1995; of USSN 08/474,497 filed June 5, 1995; and of USSN 08/757,024 filed November 6, 1996.
- 7- USSN 08/757,024 filed November 6, 1996 (US Pat. No. 6,025,339), a CIP of USSN 08/472,527 (US Pat. No. 6,040,296).
- 8- USSN 60/059,160 filed September 17, 1997.
- 9- PCT US98/19419 filed September 17, 1998.
- 10- USSN 09/502,152 filed March 17, 2000 based on PCT US98/19419 and USSN 60/059,160.
- 11- USSN 60/095,212 filed August 3, 1998.
- 12- PCT US99/17712 filed August 3, 1999, based on USSN 60/095,212.

The text of the above-identified application is being amended to contain this information.

Respectfully submitted,
ARTER & HADDEN LLP


Viviana Amzel, Ph.D.

Reg. No. 30,930

Attorney for Applicant

Date

8/15/00
Citicorp Plaza
725 S. Figueroa St.-Suite 3400
Los Angeles, CA 90017
213-430-3520 Direct Ph.
213-617-9255 Fax

Date of Deposit

Viviana Amzel

I hereby certify that this paper or fee is being deposited with the United States Postal Service "First Class Mail" on the date indicated above and is addressed to the Commission of Patents and Trademarks, Washington D.C. 20231.